



10-22-04

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Serial Number: 10/065,451

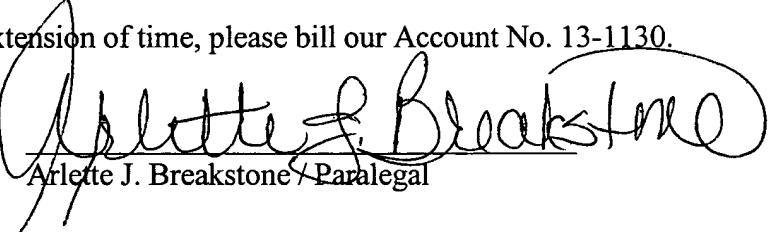
Our File No.: 10672.3801

CERTIFICATE OF EXPRESS MAIL

I HEREBY CERTIFY that the following correspondence; Amendment Transmittal Letter (in Duplicate); Amendment; and a Return Postcard for confirmation of receipt, is being deposited with the United States Postal Service as Express Mail No. EV 329200307 US, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on this 21th day of October, 2004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please bill our Account No. 13-1130.


Arlette J. Breakstone Paralegal

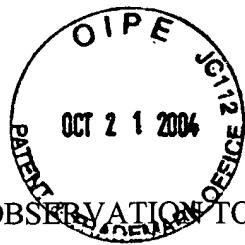
Date: October 21, 2004

Customer No. 22235

MALIN, HALEY & DiMAGGIO, P.A.
1936 South Andrews Avenue
Fort Lauderdale, Florida 33316
(954) 763-3303

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In re Application of : BERZOWSKI, William E.
 Serial No : 10/065,451
 Filed : October 18, 2002
 For : PORTABLE FOLDING OBSERVATION TOWER FOR ATTACHMENT TO A VEHICLE



Mail Stop AF
 COMMISSIONER FOR PATENTS
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

Sir:

- [X] Transmitted herewith is an amendment in the above-identified application.
- [X] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- [X] No additional fee is required.

The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | | (Col. 3) |
|-------------------------------------------|-------------------------------------------|-------|----------------------------|---|------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PAID FOR | | PRESENT EXTRA |
| TOTAL | * 3 | MINUS | ** 20 | = | 0 |
| INDEP | * 1 | MINUS | *** 3 | = | 0 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | |

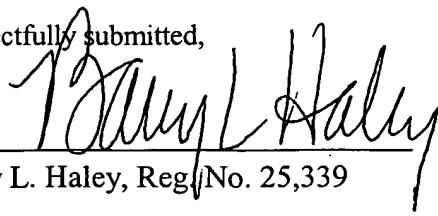
| SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
|--------------|-------------------|------------------------------|------|
| RATE | ADDITIONAL FEE | OR | RATE |
| x\$ 9 | \$ 0.00 | x\$18 | \$ |
| x\$42 | \$ 0.00 | x\$84 | \$ |
| x\$140 | \$ 0.00 | X\$280 | \$ |

TOTAL ADDIT. FEE \$0.00 OR \$

- [] Please charge our Deposit Account No. 13-1130 in the amount of \$. A duplicate copy of this sheet is attached.
- [] A Request for a One-Month Extension of Time together with a check in the amount of \$ ___ for the fee is attached.
- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1130. A duplicate copy of this sheet is attached.
 - [X] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - [] Any patent application processing fees under 37 CFR 1.17.
 - [X] If there are any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

MALIN, HALEY & DiMAGGIO, P.A.
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Respectfully submitted,


 Barry L. Haley, Reg. No. 25,339

CLIENT NO. 22235

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 21, 2004

In re application of : BERZOWSKI, William E.
Serial No. : 10/065,451
Filed : October 18, 2002
For : **PORTABLE FOLDING OBSERVATION
TOWER FOR ATTACHMENT TO A
VEHICLE**
Examiner : CHIN SHUE, Alvin C.
Art Unit : 3634
Our File No. : 10672.3801

AMENDMENT AFTER FINAL UNDER RULE 1.116

Mail Stop AF
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's Final Office Action dated July 22, 2004, this amendment is submitted. Reconsideration is respectfully requested. New claims 14-16 are believed allowable.

Please amend the application as follows:

The claims 1 through 16 are presented on pages 2 through 4 of this amendment.

Remarks are presented on pages 5 through 7.

Cancel claims 1-13.

Add new claims 14, 15 and 16.